

NETFLIX, INC. v. BLOCKBUSTER INC.

Case No. 06 2361 WHA (JCS)

EXHIBIT D

TO

**DECLARATION OF WILLIAM J. O'BRIEN IN SUPPORT OF
BLOCKBUSTER'S BRIEF ON CLAIM CONSTRUCTION**

Filed on December 27, 2006

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NETFLIX, INC

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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11 NETFLIX, INC., a California Corporation,

C Case No.

06 18927
12 Plaintiff,
13 v.
14 NCR CORPORATION, a Maryland
Corporation,
15 Defendant.

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COMPLAINT FOR DECLARATORY
JUDGMENT OF PATENT INVALIDITY
AND NONINFRINGEMENT

DEMAND FOR JURY TRIAL

1 Plaintiff Netflix, Inc. ("Netflix"), alleges as follows:

2 **I. THE PARTIES**

3 1. Netflix is, and at all times mentioned herein was, a corporation organized and existing
 4 under the laws of California, with a principal place of business at 100 Winchester Circle, Los
 5 Gatos, California.

6 2. On information and belief, Defendant NCR Corporation ("NCR") is, and at all times
 7 mentioned herein was, a corporation organized and existing under the laws of Maryland, with a
 8 principal place of business at 1700 S. Patterson Blvd., Dayton, Ohio. On information and belief,
 9 NCR is the assignee of the patents at issue in this complaint (the "NCR patents").

10 3. Netflix is informed and believes that NCR maintains offices in El Segundo and San
 11 Diego, California. According to NCR's website, <http://www.ncr.com/careers/americas.htm>,
 12 NCR employs about 250 associates at its El Segundo office, and more than 700 engineers and
 13 associates at its San Diego office. Netflix is also informed and believes that NCR employs a
 14 number of account managers and sales representatives in San Francisco, California, and wholly-
 15 owns DecisionPoint Software, which has offices in San Mateo, California. Thus NCR has both
 16 employees and an office in this judicial district.

17 4. Further, Netflix is informed and believes that NCR transacts business in this judicial
 18 district through, *inter alia*, the distribution and sale of its products and services in this district,
 19 and through the formation and operation of alliances, partnerships and joint ventures with
 20 numerous companies that have their principal place of business in this district, including but not
 21 limited to Veritas Software Corporation (now Symantec Corporation)—headquartered in
 22 Cupertino, California; GoldenGate Software, Inc.—headquartered in San Francisco, California;
 23 Intel Corporation—headquartered in Santa Clara, California; and Hyperion Solutions Corp.—
 24 headquartered in Santa Clara, California.

25 **II. JURISDICTION AND VENUE**

26 5. This is an action under the Federal Declaratory Judgment Act, 28 U.S.C. §§ 2201 and
 27 2202, for a declaration pursuant to the patent laws of the United States, 35 U.S.C. § 1, et seq.,
 28 that the NCR patents are not infringed by Netflix, or are invalid, or both.

1 6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 (federal
 2 question) and 1338(a) (action arising under an Act of Congress related to patents).

3 7. This Court has personal jurisdiction over NCR because NCR has constitutionally
 4 sufficient contacts with California to make personal jurisdiction proper in this Court. In
 5 particular, NCR has purposefully directed activities to this judicial district, including activities
 6 related to this suit for declaratory judgment. For example, NCR has directed letters and other
 7 communications to this district accusing Netflix of infringing the NCR patents, sent claim charts
 8 into this district purporting to show Netflix's infringement of the NCR patents, and NCR
 9 representatives have traveled to this district to discuss Netflix's alleged infringement of the NCR
 10 patents with Netflix's representatives. Moreover, on information and belief, NCR conducts and
 11 solicits business within this district and elsewhere in California and derives substantial revenue
 12 from the sales of its products and/or services within this district and elsewhere in California,
 13 which gives this Court general jurisdiction over NCR.

14 8. Venue is proper in this district under 28 U.S.C. §1391(b) and (c) because a substantial
 15 part of the events giving rise to the claims occurred in this district, and NCR has sufficient
 16 contacts with this district to subject it to personal jurisdiction, if this district were a separate
 17 State.

18 **III. INTRADISTRICT ASSIGNMENT**

19 9. This is a patent action subject to district-wide assignment under Local Rule 3-2(c).

20 **IV. GENERAL ALLEGATIONS**

21 10. Netflix operates an online DVD movie rental service.

22 11. NCR has alleged that aspects of Netflix's movie rental service and/or "back
 23 office" operations infringe the following patents.

24 A. The NCR Patents

25 12. U.S. Patent No. 5,699,526 (the "526 Patent"), issued on or about December 16,
 26 1997, entitled "Ordering and Downloading Resources from Computerized Repositories."

27 13. U.S. Patent No. 5,951,643 (the "643 Patent"), issued on or about September 14,
 28 1999, entitled "Mechanism for Dependably Organizing and Managing Information for Web

1 Synchronization and Tracking Among Multiple Browsers.”

2 14. U.S. Patent No. 5,991,791 (the ““791 Patent”), issued on or about November 23,
3 1999, entitled “Security aspects of computer resource repositories.”

4 15. U.S. Patent No. 6,026,403 (the ““403 Patent”), issued on or about February 15, 2000,
5 entitled “Computer System for Management of Resources.”

6 16. U.S. Patent No. 6,169,997 (the ““997 Patent”), issued on or about January 2, 2001,
7 entitled “Method and apparatus for forming subject (context) map and presenting Internet data
8 according to the subject map.”

9 17. U.S. Patent No. 6,253,203 (the ““203 Patent”), issued on or about June 26, 2001,
10 entitled “Privacy-enhanced database.”

11 18. U.S. Patent No. 6,480,855 (the ““855 Patent”), issued on or about November 12,
12 2002, entitled “Managing a resource on a network where each resource has an associated profile
13 with an image.”

14 19. U.S. Patent No. 6,502,096 (the ““096 Patent”), issued on or about December 31,
15 2002, entitled “Computerized asset management system .”

16 20. U.S. Patent No. 6,714,931(the ““931 Patent”), issued on or about March 30, 2004,
17 entitled “Method and apparatus for forming user sessions and presenting internet data according
18 to the user sessions.”

19 21. True and correct copies of the face page of each of these patents are attached hereto
20 as Exhibits A through I.

21 **B. Justiciable Controversy**

22 22. NCR has explicitly charged that aspects of Netflix’s movie rental services and back
23 office operations infringe the NCR patents. On January 7, 2003, Bruce A. Langos, Vice
24 President of Business Operations and Intellectual Property Management at NCR, wrote to Reed
25 Hastings, the Chief Executive Officer of Netflix claiming notice “that various Netflix.com
26 offerings infringe at least the following patents owned by NCR Corporation.” The letter
27 identified ten separate patents that NCR claimed were infringed, and enclosed several exemplary
28 claim charts, each of which accused Netflix of infringing the claims described therein. Further,

1 the letter delivered a clear warning that "NCR takes its intellectual property rights very seriously,
 2 and will, if need be, act vigorously to protect them." The letter even threatened to sue for an
 3 injunction should Netflix not license NCR's technology, warning Netflix that NCR has
 4 "vigorously pursued litigation against infringers of our patents where they have refused to
 5 purchase appropriate licenses from us" and has "sought injunctions to stop further use of
 6 infringing offerings."

7 23. On August 1, 2005, Mr. Langos once again wrote to Mr. Hastings of Netflix
 8 concerning "your company's infringements of NCR patents." The letter enclosed updated claim
 9 charts that again accused Netflix of infringing the claims described therein, and threatened that
 10 should Netflix refuse to license the technology NCR was "prepared to pursue other options."

11 24. NCR continued to press its allegations of infringement after the August 2005 letter.
 12 In late 2005, counsel for NCR contacted counsel for Netflix in San Francisco, California, seeking
 13 to schedule a face-to-face meeting in San Francisco to discuss NCR's allegations of
 14 infringement. Counsel for Netflix agreed to meet with counsel for NCR. NCR's counsel
 15 traveled to San Francisco and, on November 28, 2005, met with Netflix's counsel in San
 16 Francisco, California, during which meeting NCR's counsel once again asserted that Netflix
 17 infringed the NCR patents, and that NCR was prepared to file suit against Netflix to enforce its
 18 patents. Following the meeting in California, on January 11, 2006, counsel for NCR sent via
 19 email to San Francisco revised charts purporting to show that Netflix was currently infringing the
 20 claims described therein.

21 25. In the past seven years, NCR has sued at least six different companies, alleging
 22 patent infringement of one or more of the NCR patents. By virtue of NCR's actions, Netflix has
 23 a reasonable apprehension that NCR intends to sue it for infringing the NCR patents.

24 26. Netflix denies that it infringes any valid claim of the nine NCR patents.

25 27. An actual and justiciable controversy exists between Netflix and NCR concerning
 26 whether Netflix infringes any valid claim of the NCR patents. Netflix now seeks a declaratory
 27 judgment that it does not infringe any claim of the NCR patents and that each of the NCR patents
 28 is invalid.

V. CAUSES OF ACTION

FIRST CAUSE OF ACTION
(For Declaratory Judgment as to the '526)

28. Netflix incorporates by reference as though fully set forth herein paragraphs 1 through 27, inclusive.

29. Netflix alleges that its activities do not directly infringe, do not induce infringement, and do not contributorily infringe any valid claim of the '526 patent as properly construed.

8 30. Netflix also alleges on information and belief that the '526 patent is invalid. In view
9 of the prior art, and further in view of basic deficiencies in the '526 patent, it fails to satisfy one
10 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
11 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

SECOND CAUSE OF ACTION
(For Declaratory Judgment as to the '643)

14 31. Netflix incorporates by reference as though fully set forth herein paragraphs 1
15 through 27, inclusive.

16 32. Netflix alleges that its activities do not directly infringe, do not induce infringement,
17 and do not contributorily infringe any valid claim of the '643 patent as properly construed.

18 33. Netflix also alleges on information and belief that the '643 patent is invalid. In view
19 of the prior art, and further in view of basic deficiencies in the '643 patent, it fails to satisfy one
20 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
21 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

THIRD CAUSE OF ACTION
(For Declaratory Judgment as to the '791)

34. Netflix incorporates by reference as though fully set forth herein paragraphs 1
through 27, inclusive.

26 35. Netflix alleges that its activities do not directly infringe, do not induce infringement,
27 and do not contributorily infringe any valid claim of the '791 patent as properly construed

²⁸ 36. Netflix also alleges on information and belief that the '791 patent is invalid. In view

1 of the prior art, and further in view of basic deficiencies in the '791 patent, it fails to satisfy one
 2 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
 3 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

4 **FOURTH CAUSE OF ACTION**
 5 (**For Declaratory Judgment as to the '403**)

6 37. Netflix incorporates by reference as though fully set forth herein paragraphs 1
 7 through 27, inclusive.

8 38. Netflix alleges that its activities do not directly infringe, do not induce infringement,
 9 and do not contributorily infringe any valid claim of the '403 patent as properly construed.

10 39. Netflix also alleges on information and belief that the '403 patent is invalid. In view
 11 of the prior art, and further in view of basic deficiencies in the '403 patent, it fails to satisfy one
 12 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
 13 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

14 **FIFTH CAUSE OF ACTION**
 15 (**For Declaratory Judgment as to the '997**)

16 40. Netflix incorporates by reference as though fully set forth herein paragraphs 1
 17 through 27, inclusive.

18 41. Netflix alleges that its activities do not directly infringe, do not induce infringement,
 19 and do not contributorily infringe any valid claim of the '997 patent as properly construed.

20 42. Netflix also alleges on information and belief that the '997 patent is invalid. In view
 21 of the prior art, and further in view of basic deficiencies in the '997 patent, it fails to satisfy one
 22 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
 23 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

24 **SIXTH CAUSE OF ACTION**
 25 (**For Declaratory Judgment as to the '203**)

26 43. Netflix incorporates by reference as though fully set forth herein paragraphs 1
 27 through 27, inclusive.

28 44. Netflix alleges that its activities do not directly infringe, do not induce infringement,

and do not contributorily infringe any valid claim of the '203 patent as properly construed.

2 45. Netflix also alleges on information and belief that the '203 patent is invalid. In view
3 of the prior art, and further in view of basic deficiencies in the '203 patent, it fails to satisfy one
4 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
5 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

SEVENTH CAUSE OF ACTION
(For Declaratory Judgment as to the '855)

8 46. Netflix incorporates by reference as though fully set forth herein paragraphs 1
9 through 27, inclusive.

10 47. Netflix alleges that its activities do not directly infringe, do not induce infringement,
11 and do not contributorily infringe any valid claim of the '855 patent as properly construed

12 48. Netflix also alleges on information and belief that the '855 patent is invalid. In view
13 of the prior art, and further in view of basic deficiencies in the '855 patent, it fails to satisfy one
14 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
15 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

EIGHTH CAUSE OF ACTION
(For Declaratory Judgment as to the '096)

18 49. Netflix incorporates by reference as though fully set forth herein paragraphs 1
19 through 27, inclusive.

20 50. Netflix alleges that its activities do not directly infringe, do not induce infringement,
21 and do not contributorily infringe any valid claim of the '096 patent as properly construed.

22 51. Netflix also alleges on information and belief that the '096 patent is invalid. In view
23 of the prior art, and further in view of basic deficiencies in the '096 patent, it fails to satisfy one
24 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
25 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

NINTH CAUSE OF ACTION
(For Declaratory Judgment as to the '931)

28 52. Netflix incorporates by reference as though fully set forth herein paragraphs 1

1 through 27, inclusive.

2 53. Netflix alleges that its activities do not directly infringe, do not induce infringement,
 3 and do not contributorily infringe any valid claim of the '931 patent as properly construed.

4 54. Netflix also alleges on information and belief that the '931 patent is invalid. In view
 5 of the prior art, and further in view of basic deficiencies in the '931 patent, it fails to satisfy one
 6 or more of the provisions for patentability set forth in Title 35, Part II, United States Code,
 7 particularly §§ 101, 102, 103 and 112, and the rules, regulations, and law pertaining thereto.

8 **VI. REQUEST FOR RELIEF**

9 WHEREFORE Netflix prays for relief against NCR as follows:

10 1. For a declaratory judgment that:

- 11 a. Netflix does not infringe any valid claim of the '526 patent;
- 12 b. The '526 patent is invalid;
- 13 c. Netflix does not infringe any valid claim of the '526 patent;
- 14 d. The '526 patent is invalid;
- 15 e. Netflix does not infringe any valid claim of the '643 patent;
- 16 f. The '643 patent is invalid;
- 17 g. Netflix does not infringe any valid claim of the '791 patent;
- 18 h. The '791 patent is invalid;
- 19 i. Netflix does not infringe any valid claim of the '403 patent;
- 20 j. The '403 patent is invalid;
- 21 k. Netflix does not infringe any valid claim of the '997 patent;
- 22 l. The '997 patent is invalid;
- 23 m. Netflix does not infringe any valid claim of the '203 patent;
- 24 n. The '203 patent is invalid;
- 25 o. Netflix does not infringe any valid claim of the '855 patent;
- 26 p. The '855 patent is invalid;
- 27 q. Netflix does not infringe any valid claim of the '096 patent;
- 28 r. The '096 patent is invalid;

1 s. Netflix does not infringe any valid claim of the '931 patent;

2 t. The '931 patent is invalid;

3 2. For its costs and reasonable attorneys' fees incurred in this action.

4 3. For such other and further relief as the Court may deem appropriate.

VII. JURY DEMAND

6 Netflix requests a jury trial on all issues so triable.

8 | Dated: March 10, 2006

KEKER & VAN NEST, LLP

By:

JEFFREY R. CHANIN
Attorneys for Plaintiff
NETFLIX, INC.

1 **CERTIFICATION OF INTERESTED ENTITIES OR PERSONS**

2 Pursuant to Civil L.R. 3-16 and Federal Rule of Civil Procedure 7.1, the undersigned
3 certifies that the following listed persons, associations of persons, firms, partnerships,
4 corporations (including parent corporations) or other entities (i) have a financial interest in the
5 subject matter in controversy or in a party to the proceeding, or (ii) have a non-financial interest
6 in that subject matter or in a party that could be substantially affected by the outcome of this
7 proceeding:

8 Technology Crossover Management IV, LLC and Legg Mason Opportunity Trust, LLC
9 each own 10% or more of the stock of Netflix, Inc.

10 In making the foregoing disclosures, the undersigned have *not* disclosed (1) individuals
11 or entities which own less than 10% of the stock of Netflix, Inc. or (2) individuals or entities
12 against whom the patents-at-suit in this litigation have been asserted in separate litigation and
13 who could stand to benefit from a determination by this Court adverse to the patentee. The
14 undersigned will make such additional disclosures as are ordered by the Court.

15
16 Dated: March 10, 2006

KEKER & VAN NEST, LLP

17
18 By:


19 JEFFREY R. CHANTIN
20 Attorneys for Plaintiff
NETFLIX, INC.



US005951643A

United States Patent [19]

Shelton et al.

[11] Patent Number: 5,951,643

[45] Date of Patent: Sep. 14, 1999

[54] MECHANISM FOR DEPENDABLY ORGANIZING AND MANAGING INFORMATION FOR WEB SYNCHRONIZATION AND TRACKING AMONG MULTIPLE BROWSERS

[75] Inventors: James A. Shelton, Holmdel; Michael I. Ingrassia, Jr., Edison; Thomas M. Rowland, Fair Haven, all of NJ

[73] Assignee: NCR Corporation, Dayton, Ohio

5,734,835	3/1998	Selker	71F/249
5,737,619	4/1998	Jurkow	707/500
5,742,768	4/1998	Gennaro et al	395/200.33
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5,796,952	8/1998	Davies et al	395/200.54
5,802,299	9/1998	Logan et al	395/200.48
5,809,250	9/1998	Kisor	709/227
5,862,330	1/1999	Anupam et al	709/204
5,887,143	3/1999	Saito et al	709/248

[21] Appl. No.: 08/944,124

[22] Filed: Oct. 6, 1997

[51] Int. Cl.° G06F 13/00; G06F 13/14
[52] U.S. Cl. 709/227; 709/224; 709/233;
709/248

[58] Field of Search 707/104, 500;
395/200.33, 200.57, 200.54, 200.48; 709/227,
224, 223, 248

[56] References Cited

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5,535,256	7/1996	Maloney et al.
5,544,649	8/1996	David et al
5,715,453	2/1998	Stewart
5,727,129	3/1998	Barrett et al

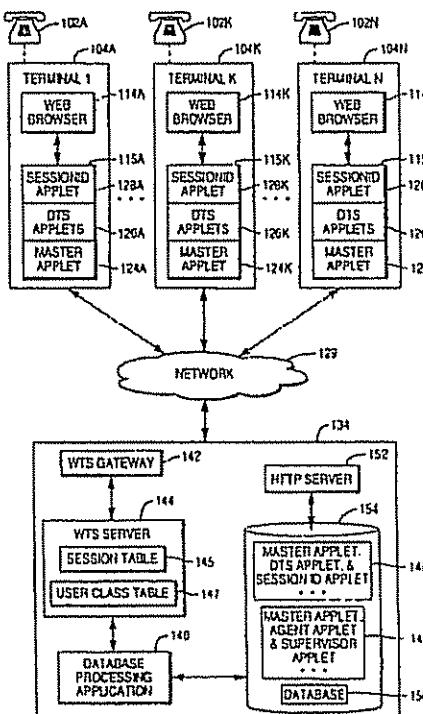
Primary Examiner—Krishna Lim

Attorney, Agent, or Firm—Ying Iuo; Kenneth M. Berner

[57] ABSTRACT

Described is a mechanism for dependably organizing and managing information for web synchronization and tracking among multiple consumer browsers. A session is created for each of one of the consumer browsers when an individual consumer downloads an initial web page from an HTTP server. A unique ID is assigned to that session. After the session has been created for an individual browser, the information about the all activities from that consumer browser will be recorded into the session. Such a mechanism overcomes the difficulty to organize and manage the activities from the multiple consumer browsers that are in stateless nature.

23 Claims, 22 Drawing Sheets





United States Patent [19]
Siefert

[11] Patent Number: **5,991,791**
[45] Date of Patent: **Nov. 23, 1999**

[54] **SECURITY ASPECTS OF COMPUTER RESOURCE REPOSITORIES**

[75] Inventor: **David M. Siefert, Englewood, Ohio**

[73] Assignee: **NCR Corporation, Dayton, Ohio**

[21] Appl. No.: **08/798,446**

[22] Filed: **Jan. 10, 1997**

Related U.S. Application Data

[63] Continuation of application No. 08/217,167, Mar. 24, 1994, abandoned

[51] Int. Cl. ⁶ **G06F 9/00**

[52] U.S. Cl. **709/100, 707/9**

[58] Field of Search **709/100, 101, 709/106, 303; 707/9, 103; 705/27**

[56] References Cited

U.S. PATENT DOCUMENTS

3,787,627	1/1974 Abramson et al.	179/15
4,942,540	7/1990 Black et al.	364/514
4,992,976	2/1991 Yonekura et al.	364/900
5,182,790	1/1993 East et al.	395/725
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5,303,379	4/1994 Khoyi et al.	395/700
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"Development of the Domain Name Server" by Paul Moskowitz Standford, California Aug. 16–19, 1988

"Experiences Implementing BIND, A Distributed Name Server for the Darpa Internet" by James M. Bloom 1986, Summer Conference

Primary Examiner—Majid A. Baankhah
Attorney, Agent, or Firm—Gregory A. Welte; George H. Gates

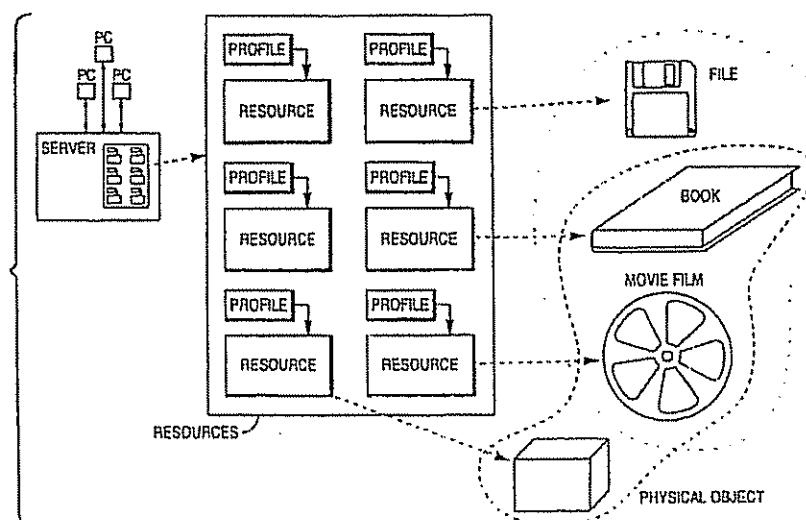
[57] **ABSTRACT**

The invention concerns a system for managing resources, which can take the form of (a) computer-compatible information, such as data files and programs, and (b) non-computer-compatible information, such as data contained on microfiche, and (c) physical objects. The resources are located at geographically diverse sites.

The invention contains a descriptive profile for each resource, and allows any user to search all profiles, and to search the profiles according to "fields" (a database term), such as by location of the resources, or by category of the resources. The user can order delivery of a selected resource, and the system causes delivery of the resource in the executed, irrespective of the form (e.g., physical object) of the resource.

The invention allows a provider of a new resource to limit access to the resource, by identifying users who are authorized to obtain access to the resource. Non-authorized users cannot obtain access to the profiles of these resources.

14 Claims, 101 Drawing Sheets





United States Patent [19]
Siefert

[11] Patent Number: 5,699,526
[45] Date of Patent: Dec. 16, 1997

[54] ORDERING AND DOWNLOADING
RESOURCES FROM COMPUTERIZED
REPOSITORIES

[75] Inventor: David M. Siefert, Englewood, Ohio

[73] Assignee: NCR Corporation, Dayton, Ohio

[21] Appl. No.: 670,294

[22] Filed: Aug. 21, 1996

Related U.S. Application Data

[63] Continuation of Ser. No. 217,062, Mar. 24, 1994, abandoned

[51] Int. Cl.⁶ G06F 17/30

[52] U.S. Cl. 395/227; 395/610

[58] Field of Search 395/226, 227,
395/610, 615, 601

[56] References Cited

U.S. PATENT DOCUMENTS

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Primary Examiner—Thomas G. Black

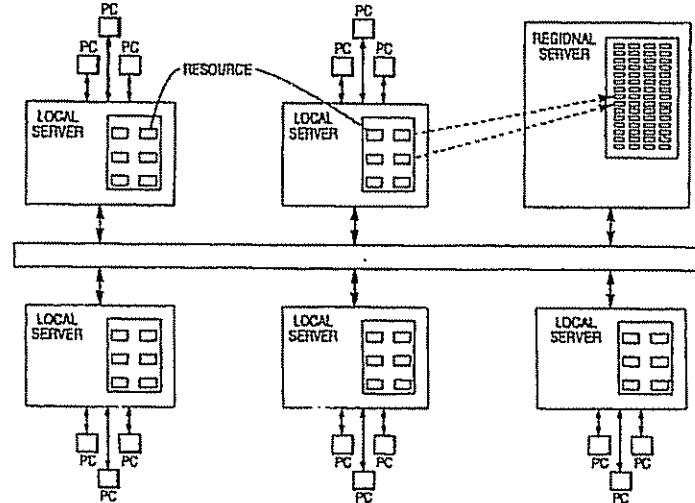
Assistant Examiner—Jack M. Choules

Attorney, Agent, or Firm—Gregory A. Weite; George H. Gates

[57] ABSTRACT

The invention concerns a system for managing resources, which can take the form of (a) computer-compatible information, such as data files and programs, and (b) non-computer-compatible information, such as data contained on microfiche, and (c) physical objects. The resources are located at geographically diverse sites. The invention contains a descriptive profile for each resource, and allows any user to search all profiles, and to search the profiles according to "fields" (a database term), such as by location of the resources, or by category of the resources. The user can order delivery of a selected resource, and the system causes delivery of the resource to be executed, irrespective of the form (eg, physical object) of the resource. The invention allows a provider of a new resource to limit access to the resource, by identifying users who are authorized to obtain access to the resource. Non-authorized users cannot obtain access to the profiles of these resources.

8 Claims, 101 Drawing Sheets





US06026403A

United States Patent [19]
Siefert

[11] Patent Number: **6,026,403**
[45] Date of Patent: ***Feb. 15, 2000**

[54] COMPUTER SYSTEM FOR MANAGEMENT OF RESOURCES

[75] Inventor: David M. Siefert, Englewood, Ohio

[73] Assignee: NCR Corporation, Dayton, Ohio

[*] Notice: This patent issued on a continued prosecution application filed under 35 CFR 1.53(d), and is subject to the twenty year patent term provisions of 35 U.S.C. 154(a)(2).

This patent is subject to a terminal disclaimer.

[21] Appl. No.: 08/217,476

[22] Filed: Mar. 24, 1994

[51] Int. Cl. 7 C06F 17/30

[52] U.S. Cl. 707/10; 705/27

[58] Field of Search 364/200, 300, 364/408; 395/200, 600, 610, 226, 227; 705/27; 707/1, 4, 9, 10

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Primary Examiner—Majid A Baankhah
Attorney, Agent, or Firm—Gregory A. Weis; George H. Gates

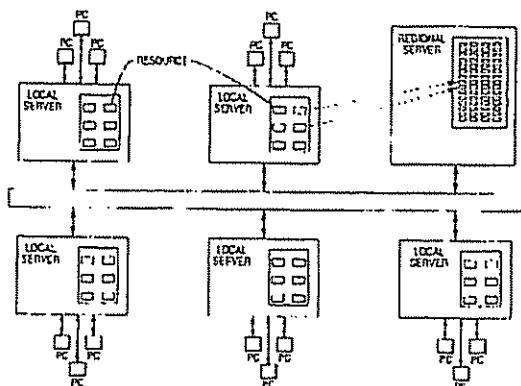
[57] ABSTRACT

The invention concerns a system for managing resources, which can take the form of (a) computer-compatible information, such as data files and programs, and (b) non-computer-compatible information, as data contained on microfiche, and (c) physical objects. The resources are located at graphically diverse sites.

The invention contains a descriptive profile for each resource, and allows any user to search all profiles, and to search the profiles according to "fields" (a database term), such as by location of the resources, or by category of the resources. The user can order delivery of a selected resource, and the system causes delivery of the resource to be executed, irrespective of the form (eg, physical object) of the resource

The invention allows a provider of a new resource to limit access to the resource, by identifying users who are authorized to obtain access to the resource. Non-authorized users cannot obtain access to the profiles of these resources

11 Claims, 101 Drawing Sheets





US006169997B1

(12) United States Patent
Papierniak et al.

(10) Patent No.: US 6,169,997 B1
(45) Date of Patent: Jan. 2, 2001

(54) METHOD AND APPARATUS FOR FORMING SUBJECT (CONTEXT) MAP AND PRESENTING INTERNET DATA ACCORDING TO THE SUBJECT MAP

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(75) Inventors: Karen A. Papierniak, St. Paul, MN (US); James E. Thoisz, Linerost, NJ (US); Lou-Jen Chiung, Freehold, NJ (US); Paresh B. Shah, North Plainfield, NJ (US)

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(73) Assignee: NCR Corporation, Dayton, OH (US)

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(*) Notice: Under 35 U.S.C. 154(b), the term of this patent shall be extended for 0 days.

Primary Examiner—Joseph H. Feild
Assistant Examiner—Robert D Bourque
(74) Attorney, Agent, or Firm—Ying Tuo

(21) Appl. No.: 09/067,804

(57) ABSTRACT

(22) Filed: Apr. 29, 1998

Currently, a web site stores Internet data indicating file access status for the files that have been accessed in response to requests from web browsers. Unfortunately, the Internet data are kept as a set of separate and non-correlated data records that are chronologically arranged according to the times at which the requests have been received and processed. Consequently, the Internet data are not arranged meaningful to management and business operation. The present invention correlates web page files (HTML, SHTML, DHTML, or CGI files) with subject areas (such as sports, news, entertainment, restaurant, shopping, computing, business, health, family, travel and weather). In this way, the Internet data are presented in a format meaningful to management and business operation.

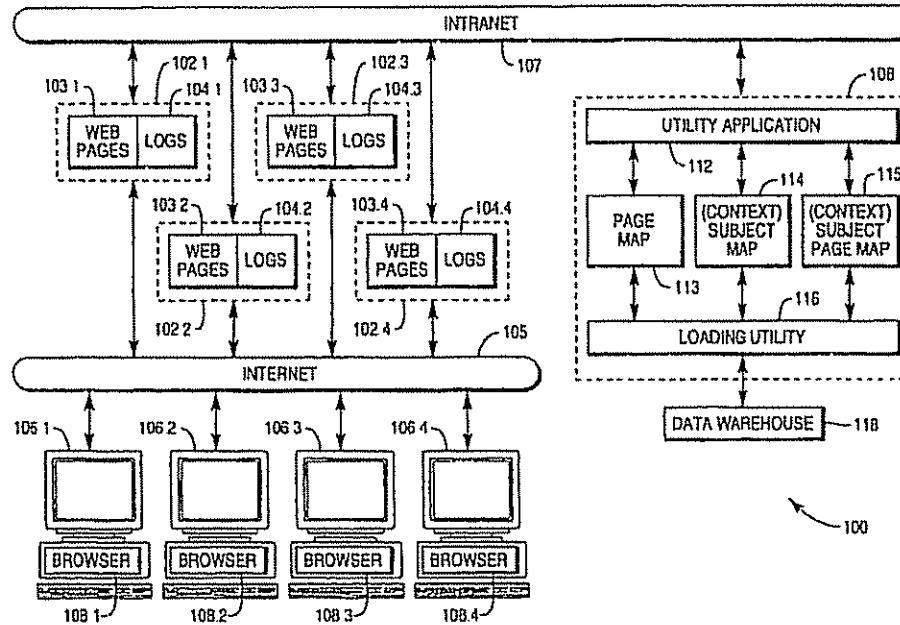
(51) Int. Cl. 7 G06F 17/30
(52) U.S. Cl. 707/501
(58) Field of Search 707/1, 2, 3, 501,
707/100

14 Claims, 12 Drawing Sheets

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US006253203B1

(12) **United States Patent**
O'Flaherty et al.

(10) Patent No.: US 6,253,203 B1
(45) Date of Patent: Jun. 26, 2001

(54) PRIVACY-ENHANCED DATABASE

(75) Inventors: Kenneth W. O'Flaherty, San Diego; Richard G. Stellwagen, Jr.; Todd A. Walter, both of Poway, all of CA (US); Reid M. Watts; David A. Ramsey, both of Lexington, SC (US); Adrian W. Yeldbuisen, San Marcos; Renda K. Ozden, San Diego, both of CA (US)

(73) Assignee: NCR Corporation, Dayton, OH (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: 09/165,784

(22) Filed: Oct 2, 1998

(51) Int. Cl.⁷ C06F 17/30

(52) U.S. Cl. 707/9; 707/2; 707/3; 707/10; 707/102; 713/200

(58) Field of Search 707/9, 10, 1-4, 707/100-102; 709/217-219; 705/35-38; 713/210-202

(56) References Cited

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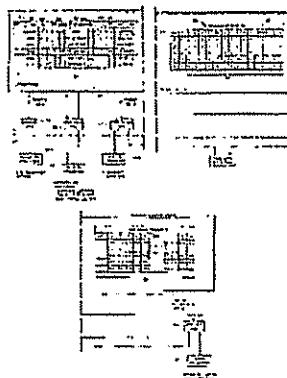
Primary Examiner—Hosain T. Alam

(74) Attorney, Agent, or Firm—Gates & Crellin

ABSTRACT

A method, apparatus, article of manufacture, and a memory structure for storing and retrieving data in a database implementing privacy control is disclosed. The apparatus comprises a data storage device, storing a database table comprising a plurality of data columns and at least one data control column for storing data control information reflecting consumer privacy parameters, wherein the database table comprises an identity segment for storing identity information and a personal information segment for storing personal information, and a processor, operatively coupled to the data storage device, the processor implementing a dataview suite for presenting data retrieved from the database table in accordance with the data control information. The method comprises the steps of extending a database table comprising a plurality of data columns to include at least one data control column for storing data control information reflecting at least one consumer privacy parameter, storing identity information about the consumer in an identity segment of the database table and personal information about the consumer in a personal information segment of the database table, receiving a data request from a requesting entity having data privileges, and providing the data to the requesting entity via a dataview selected in accordance with the requesting entity's data privileges, the dataview masking the data in accordance with the consumer privacy parameter. The program storage device comprises a medium for storing instructions performing the method steps outlined above.

21 Claims, 12 Drawing Sheets





US006480855B1

(12) United States Patent
Siefert

(10) Patent No.: US 6,480,855 B1
(45) Date of Patent: Nov. 12, 2002

(54) MANAGING A RESOURCE ON A NETWORK WHERE EACH RESOURCE HAS AN ASSOCIATED PROFILE WITH AN IMAGE

(75) Inventor: David M. Siefert, Englewood, OH (US)

(73) Assignee: NCR Corporation, Dayton, OH (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days

(21) Appl. No. 09/643,599

(22) Filed: Aug. 22, 2000

Related U.S. Application Data

(63) Continuation of application No. 08/217,063, filed on Mar. 24, 1994

(51) Int. Cl. 7 G06F 17/30

(52) U.S. Cl. 707/10; 707/9; 705/27

(58) Field of Search 707/9, 10; 717/11; 709/219, 220, 221, 203; 705/26-27

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Primary Examiner—Jack Choules

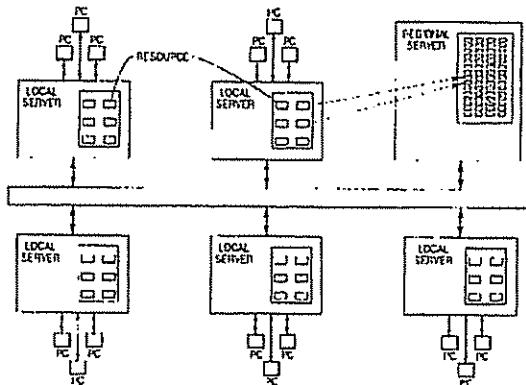
(74) Attorney, Agent, or Firm—Greg Wolfe

(57) ABSTRACT

The invention concerns a system for managing resources, which can take the form of (a) computer-compatible information, such as data files and programs, and (b) non-computer-compatible information, such as data contained on microfiche, and (c) physical objects. The resources are located at geographically diverse sites. The invention contains a descriptive profile for each resource, and allows any user to search all profiles, and to search the profiles according to "fields" (a database term), such as by location of the resources, or by category of the resources. The user can order delivery of a selected resource, and the system causes delivery of the resource to be executed, irrespective of the form (e.g., physical object) of the resource. The invention allows a provider of a new resource to limit access to the resource, by identifying users who are authorized to obtain access to the resource. Non-authorized users cannot obtain access to the profiles of these resources.

3 Claims, 101 Drawing Sheets

Microfiche Appendix Included
(3 Microfiche, 207 Pages)





US006502096B1

**(12) United States Patent
Siefert**

**(10) Patent No.: US 6,502,096 B1
(45) Date of Patent: Dec. 31, 2002**

(54) COMPUTERIZED ASSET MANAGEMENT SYSTEM

(75) Inventor: David M. Siefert, Englewood, OH (US)

(73) Assignee: NCR Corporation, Dayton, OH (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: 09/643,604

(22) Filed: Aug. 22, 2000

Related U.S. Application Data

(63) Continuation of application No. 08/217,063, filed on Mar 24, 1994

(51) Int. Cl.⁷ G06F 17/30

(52) U.S. Cl. 707/10; 705/27; 707/104 1

(58) Field of Search 705/26, 27; 707/10, 707/104 1

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Primary Examiner—Jack M. Choules

(74) Attorney, Agent, or Firm—Greg Wolfe

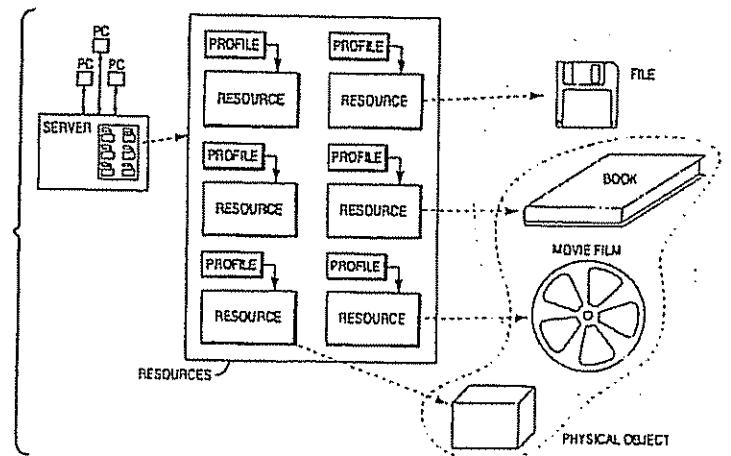
(57) ABSTRACT

The invention concerns a system for managing resources, which can take the form of (a) computer-compatible information, such as data files and programs, and (b) non-computer-compatible information, such as data contained on microfiche, and (c) physical objects. The resources are located at geographically diverse sites.

The invention contains a descriptive profile for each resource, and allows any user to search all profiles, and to search the profiles according to fields (a database term), such as by location of the resources, or by category of the resources. The user can order delivery of a selected resource, and the system causes delivery of the resource to be executed, irrespective of the form (eg, physical object) of the resource.

The invention allows a provider of a new resource to limit access to the resource, by identifying users who are authorized to obtain access to the resource. Non-authorized users cannot obtain access to the profiles of these resources.

9 Claims, 101 Drawing Sheets





US006714931B1

(12) **United States Patent**
Papierniak et al.

(10) Patent No.: US 6,714,931 B1
(45) Date of Patent: Mar. 30, 2004

(54) METHOD AND APPARATUS FOR FORMING
USER SESSIONS AND PRESENTING
INTERNET DATA ACCORDING TO THE
USER SESSIONS

(75) Inventors: Karen A. Papierniak, St. Paul, MN
(US); James E. Thoisz, Lincroft, NJ
(US); Luo-Jen Chiang, Freehold, NJ
(US); Ajali M. Diwekar, Matawan,
NJ (US)

(73) Assignee: NCR Corporation, Dayton, OH (US)

(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 923 days

(21) Appl. No.: 09/067,806

(22) Filed: Apr. 29, 1998

(51) Int. Cl.⁷ G06F 17/30

(52) U.S. Cl. 707/10; 707/6; 707/9;
715/501.1; 715/513; 713/154; 713/155;
713/201; 709/218; 709/230; 705/27; 705/44

(58) Field of Search 707/1-10, 100-104,
707/200-206, 500-501, 513-515; 705/14,
17-18, 26-27, 42-44; 709/203, 217-219,
224-230, 305; 713/200-203, 154-155

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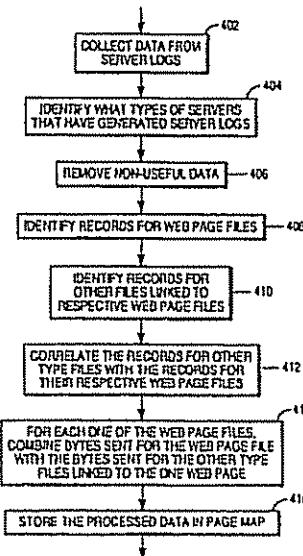
Primary Examiner—Sravana Channavajjala

(74) Attorney, Agent, or Firm—Ying Tuo; Lowe Hauptman Gilman & Berner, LLP

(57) ABSTRACT

Conventionally, a web site stores Internet data indicating file access status for the files that have been accessed in response to requests from web browsers. Unfortunately, the Internet data are kept as a set of separate and non-correlated data records that are chronologically arranged according to the times at which the requests have been received and processed. Consequently, the Internet data are not arranged meaningful to management and business operation. The present invention is able to correlate web page files (HTML, SHTML, DHTML, or CGI files) with individual users. The present invention is also able to correlate web page files with user sessions during which users perform their business transactions over the Internet.

17 Claims, 10 Drawing Sheets



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

FILED

NETFLIX, INC.,

Plaintiff(s),

v.

NCR CORPORATION, *filing*
Defendant(s).

06 MAR 10 PM 3:55
No. C 06-01892 EDL

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT

**ORDER SETTING INITIAL CASE
MANAGEMENT CONFERENCE
AND ADR DEADLINES**

IT IS HEREBY ORDERED that this action is assigned to the Honorable Elizabeth D. Laporte. When serving the complaint or notice of removal, the plaintiff or removing defendant must serve on all other parties a copy of this order, the handbook entitled "Dispute Resolution Procedures in the Northern District of California" , the Notice of Assignment of Case to a United States Magistrate Judge for Trial, and all other documents specified in Civil Local Rule 4-2. Counsel must comply with the case schedule listed below unless the Court otherwise orders

IT IS FURTHER ORDERED that this action is assigned to the Alternative Dispute Resolution (ADR) Multi-Option Program governed by ADR Local Rule 3. Counsel and clients shall familiarize themselves with that rule and with the handbook entitled "Dispute Resolution Procedures in the Northern District of California."

CASE SCHEDULE -ADR MULTI-OPTION PROGRAM

Date	Event	Governing Rule
3/10/2006	Complaint filed	
6/20/2006	Last day to: <ul style="list-style-type: none"> • meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan • file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	<u>FRCivP 26(f) & ADR L.R. 3-5</u> <u>Civil L.R. 16-8</u>
7/5/2006	Last day to complete initial disclosures or state objection in Rule 26(f) Report, file Case Management Statement and file/serve Rule 26(f) Report	<u>FRCivP 26(a)(1)</u> <u>Civil L.R. 16-9</u>
7/11/2006	CASE MANAGEMENT CONFERENCE (CMC) in Ctrm E, 15th Floor, SF at 10:00 AM	<u>Civil L.R. 16-10</u>